

**ALAMEDA COUNTY PUBLIC WORKS AGENCY
TREE ADVISORY BOARD MEETING**

Wednesday, February 21, 2007
Public Works Building, 951 Turner Court, Hayward
Conference Room 230

MINUTES

MEMBERS PRESENT: Chair, Kathie Ready; Vice-Chair, Don Sheppard; Donald G. Nelson; Dee McDonough

MEMBER ABSENT: Dan Gallagher

STAFF PRESENT: Inta Brainerd; Steve Jones; Angela Leddell, Clerk;

OTHERS PRESENT: Richard Hancock; Xiumei & Hanming Lei; Margaret & Manuel Wright; and Daniel Rivera, (appellants)

CALL TO ORDER: The Chair called the meeting to order at 3:05 p.m.
There were six people in the audience.

I. PUBLIC COMMENT: – None

II. ANNOUNCEMENTS:

- The property owner at 15794 & 15811 Via Rivera, San Lorenzo requested his hearing be postponed. Staff requested Tree Advisory Board grant and schedule hearing at the beginning of the work session on Wednesday, March 21, 2007. The Tree Advisory Board unanimously moved to postpone the item to the March 21, 2007 work session.

III. APPROVAL OF MINUTES: -- November 15, 2006.

- Mr. Donald G. Nelson made a motion to approve minutes of November 15, 2006. Seconded by Ms. Dee McDonough. Motion carried 4/0/1 with Mr. Dan Gallagher excused.

IV. HEARINGS:

15894 Via Conejo, San Lorenzo – *Continued from November 15, 2006 Meeting.*

Staff received information that a tree had been butchered. SLVHA requested contractor to cease work. Mr. Daniel Rivera, property owner, responded to the notice of violation and claimed limb failure. He reported that a limb had damaged his house and car. The property owner hired a contractor to prune the tree away from his house. Staff recommends that the Sycamore tree be retained and restoratively pruned over future years. Mr. Daniel Rivera, property owner, introduced pictures of the Sycamores tree and discussed his concerns that the large tree limb had broken. The limb damaged the roof on his house and smashed his car windshield. He indicated that the tree had also raised the sidewalk. Out of fear for his family, owner hired a contractor to prune the tree away from his home.

RECOMMENDATION:

Mr. Donald G. Nelson made a motion to fine the owner \$100.00 for no permit and Mr. Rivera must hire a Certified Arborist to prune the tree and bring it up to acceptable standards. The motion was seconded by Ms. Dee McDonough. Motion carried 4/0/1 with Mr. Dan Gallagher excused.

2973 Hardeman St., Hayward – Property owner not present.

Staff explained that a tree had been removed and that no replacement had been planted. Staff presented information that verified the existence of a tree through a depression in the grass area, the remains of several large roots and through the use of the GIS. Staff reported that due to lack of physical evidence the County Forester could not prepare an accurate tree appraisal report. The property owner was mailed notice of violation on June 20, 2006 and July 25, 2006. No response from the owner. Staff pointed out that there was a change of ownership and that the previous owner may have been responsible for the removal but the current owner failed to contact the County to offer their explanation.

RECOMMENDATION:

Mr. Donald G. Nelson made a motion to fine the owner \$600.00, a \$500.00 fine for the removal, and \$100.00 for no permit and replace the tree with an similar tree. The motion was seconded by Chair, Kathie Ready. Motion carried 4/0/1 with Mr. Dan Gallagher excused.

1826 Bandoni Ave., San Lorenzo

Staff determined that a healthy Pistache tree had been topped due to a home addition. Owner responded to second notice in writing. Staff pointed out past wounds, decays and scars at the base of the tree. The forester and arborist agreed that a minimum fine of \$500.00 in loss value would be appropriate. Staff recommended tree be removed and replaced.

Margaret & Manuel Wright, property owners, presented the Tree Advisory Board with pictures and admitted the tree was trimmed. In the past, the property owner noted that the tree had been pruned and no permits had been issued for this work. Owners requested that they be allowed to retain the tree.

RECOMMENDATION:

Mr. Donald G. Nelson made a motion to fine the owner \$100.00 for no permit. Staff will monitor the tree over the next three years. If the Pistache tree can not survive or not up to the standard of the staff, the homeowner will remove and replace the tree with a 36 inch boxed Pistache tree. The motion was seconded by Ms. Dee McDonough. The motion was opposed by Mr. Don Sheppard. Motion carried 3/1/1 with Mr. Dan Gallagher excused.

15794 & 15811 Via Rivera, San Lorenzo – Homeowner out of town.

2053 Manchester Dr., San Leandro

Staff presented background information that a Grant tree had been severely topped at this location. The Moraine Ash tree was planted as part of the 1997 Grant tree project in Fairmont Terrace. Staff recommends removal and replacement of the tree with another

Morraine Ash. Staff assessed minimum fine of \$500.00 based on the violation of the tree ordinance and the value of a Morraine Ash located on Berkshire that was previously appraised.

Xiumei / Hanming Lei, daughter responded to the notice of violation for the property owner who spoke very little English. She said the property owner had no knowledge that a permit is required for tree trimming within the County right-of-way. Daughter explained that the Morraine Ash tree had dropped leaves and branches on the property.

PUBLIC COMMENT:

Mr. Richard Hancock expressed his support for the trees. Mr. Hancock informed the Tree Advisory Board that he went and spoke directly to the gentleman who had purchased the property and informed him that there is a neighborhood association. He explained to the gentleman, to take care of his tree and not to cut down or trim any trees without obtaining a permit from the County. Mr. Hancock said there is a quarterly newsletter that is mailed to remind homeowners to contact the County before trimming any trees or digging up the sidewalk.

RECOMMENDATION:

Ms. Dee McDonough made a motion to fine the owner \$100.00 for no permit, and require the owner to replace the Morraine Ash with another 24 inch boxed Morraine Ash. A licensed contractor must do the work. The motion was seconded by Chair, Kathie Ready. The motion was opposed by Mr. Donald G. Nelson. Motion carried 3/1/1 with Mr. Dan Gallagher excused.

V. FOLLOW UP ITEMS:

- Arborist announced that work was completed at 5580 Coldwater and two redbuds were planted in accordance with TAB's recommendation. The permit was closed.
- Staff reported there are no outstanding violations; there are two new \$100 work permit violations.

VI. ORDINANCE REVISIONS WORK SESSION:

- The work session is Wednesday, March 21, 2007, 3:00 p.m.
- Donald G. Nelson will be on vacation.
- If Dan Gallagher can not attend the work session, there may be a need to reschedule.

VII: OTHER:

- Mr. Daniel Rivera offered brief comments about the San Lorenzo Village.
- Chair, Kathie Ready expressed her concerns that the Tree Ordinance is in place to protect the trees.

VIII: WRAP UP AND ADJOURN:

Meeting adjourned at 4:35 p.m.